

UNITED STATES DISTRICT COURT

for the
District of New Mexico**FILED**
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICOJAN 11 2016 *lv***MATTHEW J. DYKMAN**
CLERKIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)Priority Mail Parcel 99505511036826009161752
International First Class Package LC485023252US
International First Class Package LC916209564US

Case No.

*16 mr 25***APPLICATION FOR A SEARCH WARRANT**

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Parcel 99505511036826009161752, International First Class Package LC485023252US, International First Class Package LC916209564US

located in the _____ District of _____ New Mexico _____, there is now concealed (identify the person or describe the property to be seized):

See Attached Affidavit

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
21 U.S.C. § 841Offense Description
Possession with Intent to Distribute a Controlled Substance.

The application is based on these facts:

See Attached Affidavit

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

B. Specht, United States Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date:

*1/11/2016*City and state: Albuquerque, NM

Judge's signature

United States Magistrate Judge Laura Fashing

Printed name and title

1. Your Affiant, Brad Specht, is currently employed as a U.S. Postal Inspector with the United States Postal Inspection Service and has been so employed since February, 2012. I am currently assigned to the Albuquerque, New Mexico Domicile for the Phoenix Division of the U.S. Postal Inspection Service. Part of my responsibilities include the investigation of controlled substances transported through the U.S. Postal Service in violation of Title 21, United States Code, Section 841(a)(1), The Drug Abuse Prevention and Control Act. I have participated in the interdiction of illegal drugs shipped via the U.S. Mail, and have received training relative to criminal investigations and narcotics trafficking from the U. S. Postal Inspection Service.

2. This Affidavit is based upon my personal investigation and upon information received from other law enforcement officers and agents who are identified herein. The information contained in this Affidavit may not be inclusive of all evidence or information available during the investigation. This Affidavit is made in support of an application for the issuance of a search warrant for the following Priority Mail and International First Class Package parcels:

PRIORITY MAIL #1 9505511036826009161752

ADDRESSEE: Michael Guard
2013 James St
St. Louis, MO 63104

SENDER: Clark's Pet Emporium Inc
4914 Lomas Boulevard NE
Albuquerque, NM 87110
(505) 268-5977

DATE MAILED: January 9, 2016

CLASS OF MAIL: Priority Mail

PLACE MAILED: Albuquerque, NM 87106

POSTAGE AFFIXED: \$9.00

APPROXIMATE WT: 1 lbs 1.1 oz

APPROXIMATE SIZE: 8" X 5" X 5"

International First Class Package #1 LC485023252US

ADDRESSEE: Michael Catterall
6 Peel St
Mandurah WA 6210
Australia

SENDER: Church of Jesus Christ of LDS
1601 Dr Martin Luther King Jr Ave NE
Albuquerque, NM 87106

DATE MAILED: January 9, 2015

CLASS OF MAIL: International First Class Package

PLACE MAILED: Albuquerque, NM 87106

POSTAGE AFFIXED: \$17.95

APPROXIMATE WT: 0 lbs 13 oz

APPROXIMATE SIZE: 6" X 4" X 4"

International First Class Package #2 LC916209564US

ADDRESSEE: Jacob Reed
46 Fleming Road
Herston, QLD 4006
Australia

SENDER: Church of Jesus Christ of LDS
1601 Dr Martin Luther King Jr Ave NE
Albuquerque, NM 87106

DATE MAILED: January 9, 2015

CLASS OF MAIL: International First Class Package

PLACE MAILED: Albuquerque, NM 87106

POSTAGE AFFIXED: \$17.95

APPROXIMATE WT: 0 lbs 14 oz

APPROXIMATE SIZE: 6" X 4" X 4"

3. I am aware through training and experience, as well as information from other postal inspectors with extensive experience in drug trafficking investigations, that the U. S. Mail is a common and preferred method of drug traffickers to ship their product. The U. S. Priority Mail Express and Priority Mail are frequently used by drug dealers for not only shipping illegal drugs, but also for shipping the proceeds and money from illegal drug sales and purchases. Use of the U. S. Mail is favored because of the speed, reliability, and low cost of this service, as well as the perceived minimal chance of detection of illegal drugs, money, or financial instruments shipped in such a manner.

4. I am also aware that drug traffickers often use fictitious return addresses and names on return addresses, as well as real names and real addresses, with or without the actual person's knowledge or consent, to avoid detection in the event the parcel is intercepted by law enforcement officers. Parcels containing illegal drugs often provide minimal information on the mailing label to avoid detection of a fictitious name or return address. Drug traffickers normally use heavy tape on the seams and corners of a parcel and have been known to use sealed containers and masking scents, to interfere with any drug detection canine's ability to detect the narcotics. It is also common for drug traffickers to mail parcels from a different post office than

the one located in the Zip Code area used on the return address, also to avoid detection of fictitious information.

5. On or about October 6, 2015, I was contacted by Albuquerque Police Department Officer Matt Groff regarding APD case #150091957 that he responded to. Ofc. Groff stated in his report that Michael Steeples, the owner of Clark's Pet Emporium, located at 4914 Lomas Blvd NE Albuquerque, NM 87110 reported that she received 2 Priority Mail Parcels returned to her that she had never mailed out. Ofc. Groff stated in his report that inside Priority Mail Parcel 9505511036825237065917 is believed to be hallucinogenic mushrooms, which he seized and entered into evidence. Inside Priority Mail Parcel 9505513410885259035604 was believed to be a bag of hamburger helper. The hamburger helper was not seized by Ofc. Groff.

6. Based upon the information in the police report I was able to obtain the mailing information for the 2 parcels (Priority Mail Parcel 9505513410885259035604 and Priority Mail Parcel 9505511036825237065917). Both parcels bore the return address of Clark's Pet Emporium Inc 4914 Lomas Blvd NE Albuquerque, NM 87110.

7. Priority Mail Parcel 9505513410885259035604 was addressed to Bradford Sanders 9803 Narragansett Pkwy College Park, MD 20740. This parcel reportedly contained a bag of hamburger helper. When I spoke with Ofc. Groff he stated the bag appeared to have been opened and subsequently resealed. This parcel was mailed on September 16, 2015, from the Five Points station. I was able to determine that the individual that mailed this parcel mailed eight additional parcels during the same transaction. The transaction was paid for in cash.

8. Priority Mail Parcel 9505511036825237065917 was addressed to Meratio Memanus 783 Pasley Ave SE Atlanta, GA 30316. The parcel reportedly contained a blue metal cookie tin as well as a sealed bag containing suspected hallucinogenic mushrooms. This parcel was mailed on August 25, 2015, from the Airport Station. I was able to determine that the individual that mailed this parcel mailed 10 additional parcels during the same transaction. The transaction was paid for in cash.

9. On October 15, 2015, I was able to retrieve CCTV video of the transaction from Five Points Station in which Priority Mail Parcel 9505511036825237065917 was mailed. The individual in the video appears to be a tall Caucasian male with long dreadlocks, hereinafter referred to as the suspect. I spoke with the clerk at the Five Points Station that processed the transaction. I pulled up the video of the individual mailing the parcels on September 16, 2015, and asked if he recognized the individual in the video. He stated he did recognize the individual and the individual comes into the station to mail parcels every other month.

10. On October 21, 2015, I met with Thomas Steeples, who owns Clark's Pet Emporium with his wife Michael Steeples, at his business located at 4914 Lomas Blvd NE Albuquerque, NM 87110. Mr. Steeples had retained the parcel boxes for Priority Mail Parcel 9505511036825237065917 and Priority Mail Parcel 9505513410885259035604 and he turned them over to me. The labels on the two parcels bore similar characteristics. Each label had the picture of a cat in the upper right hand corner and had a blue and white background. Mr. Steeples stated he had no idea who would have mailed these parcels and confirmed, to his knowledge, it was not anyone from the business. He stated he recalled one of his employees, Luciano Moralez, stated he had received a phone call in which someone claimed the business was mailing out parcels with illegal narcotics. He called Mr. Moralez and provided me with the phone in order to speak with him. Mr. Moralez stated about 6 months ago he was working and received a phone call from an individual that appeared agitated. Mr. Moralez recalled the individual on the phone stating that someone was using Clark's Pet Emporium's address to send drugs or illegal contraband. He had received one of these parcels that he was not expecting and wanted to let them

know. The caller did not leave his name or any contact information when asked and ended the phone call.

11. On October 27, 2015, I received phone call from a clerk at the Airport Station stating the suspect had just shipped several parcels and they would hold the parcels for me. On October 28, 2015, I went to the Airport Station and picked up 6 Priority Mail Parcels. The clerk from Airport Station approached me and stated they walked out into the parking lot several minutes after the suspect had left on October 27, 2015, and saw a newer model white Chrysler New Yorker sitting in the parking lot idling. They walked up and asked the occupant if they were alright when they realized that it was the suspect. They were unable to get a license plate of the vehicle. Each of the parcels had a label similar to the two Priority Mail Parcels that were returned to Clark's Pet Emporium. The labels all bore a cat in the upper right hand corner, had the Clarks Pet Emporium as the return address and had a blue and white background.

12. On October 28, 2015, I met with DEA TFO Tom Novicki at the Albuquerque Domicile of the Postal Inspection Service. TFO Novicki brought his dog "Trigger" over to sniff each of the 6 parcels. Each parcel was placed with 3 known neutral parcels in a room at the Albuquerque Domicile and "Trigger" alerted to the presence of narcotics in Priority Mail Parcel 9505511036825300100354. The parcel was addressed to Edward Bayne 12409 Catocin View Dr Mount Airy, Maryland 21771-6032, from Clark's Pet Emporium Inc 4914 Lomas Boulevard NE Albuquerque, NM 87110. A federal search warrant was requested and granted and the parcel was subsequently searched in the presence of DEA SA S. Hartz at the Albuquerque Domicile. Inside the Priority Mail Parcel a bag a Fancy Feast Cat food was found. The bag appeared to be factory sealed and did not look to be tampered with. We opened the bag and found a vacuum sealed pouch secreted into the cat food. Inside the pouch we found approximately 120 grams of what is suspected to be hallucinogenic mushrooms.

13. The suspected mushrooms were sent to the U.S. Postal Inspection Service Forensic Lab for analysis along with the parcel wrappings and concealment wrappings to attempt to obtain fingerprints to identify the mailer. The lab results are still pending at this time.

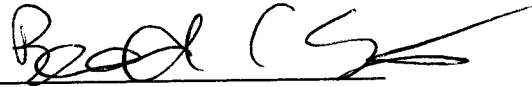
14. On January 9, 2016, I received a call from the Airport Station that the suspect referenced above had mailed a total of 4 parcels. On January 11, 2016, I went to the Airport Station and retrieved CCTV video and still camera footage from January 9, 2015. In the video you see an individual matching the description of the above described suspect entering the post office with several parcels. The suspect then proceeds to mail 4 parcels and leaves the post office about 15 minutes after entering. A camera positioned in the parking lot picked up the license plate of a light colored Chrysler sedan bearing New Mexico license plate 799 PGD entering the parking lot at around the same time as the suspect entering the post office. I obtained the 4 parcels the suspect had mailed on January 9, 2016.

15. A New Mexico MVD records check of license plate 799 PGD shows the registered owner of the white 1995 Chrysler 4 door sedan as Nathaniel Porter of Albuquerque, NM. The photograph on file with the New Mexico MVD for Mr. Porter matches the description of the suspect described above. A criminal arrest history check for Mr. Porter indicates he has been arrested for transportation of a controlled substance, possession of a controlled substance, and trafficking a controlled substance.

16. Of the 4 parcels retrieved 2 were mailed to addresses within the United States and both bore an address label similar to those referenced above with the picture of a cat and the return address of Clark's Pet Emporium Inc 4914 Lomas Boulevard NE Albuquerque, NM 87110. The other 2 were mailed to addresses in Australia and bore a return address of Church of Jesus Christ of LDS 1601 Martin Luther King Jr Ave NE Albuquerque, NM 87106. On the customs declaration form that the suspect filled out the contents of both parcels were listed as a "can of rolled oats".

17. Based upon the totality of the circumstances described above, I believe that controlled substances and/or money and proceeds from the illegal sales and purchases of controlled substances are contained in the above-described parcels listed in paragraph 2. Therefore, I request to search the parcels for any such controlled substances, proceeds, packaging material associated with controlled substances, or correspondence associated with the use or distribution of controlled substances, and if any such contraband be found therein, to seize the same.

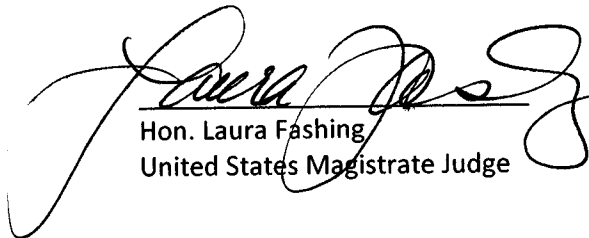
I declare under penalty of perjury that the foregoing is true and correct.



Brad C. Specht
U.S. Postal Inspector
United States Postal Inspection Service



Sworn and Subscribed before me on this 11th day of January, 2016.



Hon. Laura Fashing
United States Magistrate Judge